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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

ORACLE USA, INC., *et al.*,
 Plaintiffs,
 v.
 SAP AG, *et al.*,
 Defendants.

CASE NO. 07-CV-01658 PJH (EDL)

**STIPULATION TO PERMIT PLAINTIFFS
 TO FILE UNDER SEAL INFORMATION
 SUPPORTING ORACLE'S OPPOSITION
 TO DEFENDANTS' MOTION TO COMPEL**

Case No. 07-CV-01658 PJH (EDL)

Pursuant to Local Rules 7-11(a) and 79-5(c), Plaintiffs Oracle USA, Inc., Oracle International Corporation, Oracle EMEA Limited, and Siebel Systems, Inc. (“Plaintiffs”) and Defendants SAP AG, SAP America, Inc., and TomorrowNow, Inc. (“Defendants,” and together with Plaintiffs, the “Parties”) jointly submit this Stipulation to Permit Plaintiffs to File Under Seal Information Supporting Plaintiffs’ Opposition to Defendants’ Motion to Compel.

Plaintiffs have filed an Administrative Motion to Permit Plaintiffs to File Under Seal Information Supporting Plaintiffs’ Opposition to Defendants’ Motion to Compel (“Administrative Motion”).

WHEREAS, the requested relief in the Administrative Motion is necessary and narrowly tailored to protect the alleged confidentiality of the materials described in the Administrative Motion until such time as the Court makes a final ruling as to confidentiality of the relevant subject matter. Specifically, the Parties have informed each other that the following materials constitute documents that contain information designated by Plaintiffs or Defendants as “Confidential Information” or “Highly Confidential Information - Attorneys’ Eyes Only” pursuant to the Stipulated Protective Order, or otherwise contains information for which there is good cause to seal.

(1) Portions of the Declaration of Zachary J. Alinder in Support of Oracle’s Opposition to Defendants’ Motion to Compel at ¶ 13 and Exhibits F, G, H, K, L, P, DD, and EE thereto;

(2) Portions of the Declaration of Jason Rice in Support of Opposition at ¶ 3, lines 12-17 and ¶ 6, lines 9-18; and

(3) Portions of the Declaration of Buffy Ransom in Support of Opposition at ¶ 9, lines 18-25 and Exs. A and B thereto.

NOW, THEREFORE, IT IS HEREBY STIPULATED by the Parties, through their respective counsel of record, that Plaintiffs are permitted to move for permission to file under seal the information identified in the preceding paragraph.

1 DATED: January 5, 2010

Bingham McCutchen LLP

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4 By: /s/ Bree Hann
5 Bree Hann
6 Attorneys for Plaintiffs Oracle USA,
7 Inc., Oracle International Corporation,
8 Oracle EMEA Limited, and Siebel
9 Systems, Inc.

10 In accordance with General Order No. 45, Rule X, the above signatory attests that
11 concurrence in the filing of this document has been obtained from the signatory below.

12 DATED: January 5, 2010

JONES DAY

13 By: /s/ Scott Cowan
14 Scott Cowan
15 Attorneys for Defendants
16 SAP AG, SAP America, Inc., and
17 TomorrowNow, Inc.
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